

REMARKS:

Claims 27, 29, 31-36, 39-45, and 46 are pending in the application. Applicants request reconsideration and allowance.

Failure to Address Claim 48

Initially, Applicants note that claim 48 is included in the list of claims indicated to be rejected on the Office Action Summary Page (line 6). However, there is no rejection in the Office Action that covers claim 48. Therefore, claim 48 is presumed to be allowed, but if it is not, any further Office Action addressing it must be non-final.

Rejection Under 35 U.S.C. § 102

Claims 33, 51, 56-59 are rejected under 35 U.S.C. § 102(e) as anticipated by Simila, U.S. 2003/0183332. Applicants traverse the rejection since Simila is not analogous art.

The present application is directed to fabricating structural or load-bearing members, i.e., panels that would be applicable in applications such as “the field of the vehicle technology and construction (cars and motorcycles), airplane and shipbuilding as well for protection purposes (for example armoring or encapsulating machines with fast rotating pans). Such applications also relate to the fields of manufacture of housings, boxes, containers, wrappings and even furniture[.]” See application paragraph 17.

Simila, in contrast, discloses a method for forming “standoffs” or “spacers” that maintain a printed circuit board a certain distance from a substrate. See, for example, Simila paragraphs 1 and 2. As such, Applicants submit, Simila relates to manufacturing components that are so different from those which are fabricated according to the present invention as to render Simila non-analogous art. As explained at M.P.E.P. § 2141.01(a), “a reference in a field different from that of applicant’s endeavor may be reasonably pertinent if it is one which, because of the matter with which it deals, logically would have commended itself to an inventor’s attention in considering his or her invention as a whole.” Given the different realms to which Simila and the present invention pertain, Applicants submit that Simila would not “logically . . . have commended itself to an inventor’s attention in considering” how to fabricate structural members

of the sort to which the present application relates. Therefore, Applicants traverse the rejection and request that it be withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 27, 29, 39, 43, 47, 49, and 53 are rejected under 35 U.S.C. § 103(a) based on Lefebvre et al., U.S. 5,185,198, in view of Gregorian et al., U.S. 4,035,532. According to the Office Action with respect to claim 27, from which the other rejected claims all depend, Lefebvre discloses applying adhesive that includes “all kinds of fibers” onto cover sheets, but not applying adhesive then applying the fibers. However, according to the Office Action, that feature is disclosed in Gregorian such that the subject claims would have been obvious. Applicants traverse the rejection and request that it be withdrawn.

The claims specify that the adhesive is applied in a pattern comprising cavities or channels that remain free of adhesive or a non-continuous layer comprising islands of adhesive. Lefebvre, in contrast, does not disclose such a pattern (or any pattern at all, for that matter) in which the adhesive/fiber composition is to be applied, and Gregorian does not rectify that deficiency. Therefore, the Examiner has not established a *prima facie* case of obviousness, so Applicants traverse the rejection and request that it be withdrawn.

Claim 34 is rejected under 35 U.S.C. § 103(a) based on Lefebvre in view of Gregorian and further in view of Simila. Claim 34 depends from claim 27; accordingly, the Examiner has not established a *prima facie* case of obviousness as explained above. Additionally, Simila is deemed to be non-analogous art, as explained above. Therefore, Applicants traverse the rejection and request that it be withdrawn.

Claim 35, which depends from claim 33, is rejected under 35 U.S.C. § 103(a) based on Simila in view of Sobolev, U.S. 5,030,488. Simila is deemed to be non-analogous art, as explained above. Furthermore, as Applicants have explained several times previously (see, for example, page 2 of the August 5, 2009 Response), Sobolev teaches that the resin should be applied uniformly and/or evenly to the substrate to which it is applied. As such, Sobolev actually teaches away from the claim-recited pattern feature. Therefore, the Examiner has not established

a *prima facie* case of obviousness, so Applicants traverse the rejection and request that it be withdrawn.

Claims 40 and 52 are rejected under 35 U.S.C. § 103(a) based on Lefebvre in view of Gregorian and further in view of Sobolev. Those claims depend from claim 27, the rejection of which was traversed above because Lefebvre does not disclose the claim-recited pattern. Additionally, Sobolev teaches away from the claim-recited pattern feature, as explained with respect to the rejection of claim 35. Therefore, the Examiner has not established a *prima facie* case of obviousness, so Applicants traverse the rejection and request that it be withdrawn.

Claim 41, which depends from claim 27, is rejected under 35 U.S.C. § 103(a) based on Lefebvre in view of Gregorian and further in view of Kirkpatrick et al., U.S. 3,706,614. Applicants traverse the rejection and request that it be withdrawn for the same reason explained above with respect to claim 27: Lefebvre does not disclose the claim-recited pattern feature.

Claims 42, 44, 45, and 50 are rejected under 35 U.S.C. § 103(a) based on Lefebvre in view of Gregorian and further in view of Coran et al., U.S. 3,767,505. Applicants traverse the rejection and request that it be withdrawn for the same reason explained above with respect to claim 27, from which those claims all depend either directly or indirectly: Lefebvre does not disclose the claim-recited pattern feature.

Claim 54 is rejected under 35 U.S.C. § 103(a) based on Simila in view of Sobolev. As explained above, Simila is deemed to be non-analogous art and Sobolev teaches away from the claim-recited pattern feature. Therefore, the Examiner has not established a *prima facie* case of obviousness, so Applicants traverse the rejection and request that it be withdrawn.

Claim 60 is rejected under 35 U.S.C. § 103(a) based on Simila in view of Coran. As explained above, Simila is deemed to be non-analogous art. Therefore, the Examiner has not established a *prima facie* case of obviousness, so Applicants traverse the rejection and request that it be withdrawn.

Allowed/Allowable Subject Matter

Claims 31 and 32 are allowed. Claims 36 and 55 are objected to as depending from rejected base claims but are otherwise indicated to be directed to allowable subject matter. In view of the foregoing, however, Applicants submit that all claims are in condition for allowance, and timely Notice to that effect is respectfully requested.

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, referencing Attorney Docket No.: 7589.207.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner may directly contact the undersigned by phone to further the discussion.

Novak Druce + Quigg LLP
1000 Louisiana, Fifty-Third Floor
Houston, Texas 77002
(713) 571-3400
(713) 456-2836 (fax)
ken.fagin@novakdruce.com

Respectfully submitted,

/Kenneth M. Fagin/

Kenneth M. Fagin
Reg. No. 37,615